

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P610890/WO/1	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/003643	International filing date (day/month/year) 06.04.2004	Priority date (day/month/year) 08.04.2003
International Patent Classification (IPC) or national classification and IPC		
Applicant EUROCOPTER DEUTSCHLAND GMBH		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.																								
2.	This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.																								
3.	This report is also accompanied by ANNEXES, comprising: <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>8</u> sheets, as follows: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). 																								
4.	This report contains indications relating to the following items: <table border="0"> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-24 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-30 _____ received by this Authority on 04.02.2005 with letter
- nos.* _____ received by this Authority on of 31.08.2004
- ☒ the drawings:
- sheets 1/7-7/7 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☒ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☒ the claims, nos. 31-33 _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-30	YES
	Claims		NO
Inventive step (IS)	Claims	1-30	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-30	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
This report makes reference to the following documents:			
D1: EP 0 521 792 (Aérospatiale, 7 January 1993)			
D2: US 3 874 815 (Baskin, 1 April 1975)			
D3: US 4 093 400 (Rybicki, 6 January 1978)			
1. Document D1 is considered to constitute the prior art closest to the subject matter of claim 1 and discloses (the references in parentheses are to that document) a rotor comprising			
<ul style="list-style-type: none">• at least two rotor blades (2) which can be connected to a rotor head (figures 1-3),• each of the rotor blades having a blade neck (3, 4) with a virtual flapping hinge (4) in the form of a flexible, elastic blade neck section (column 9, line 39 - column 10, line 11; figures 1-3, 11, 12)• two auxiliary flapping hinges (5) which are mutually spaced apart in the radial longitudinal direction of the rotor blade, relative to a rotor radius, the auxiliary flapping hinges being arranged in a blade connection region of			

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

the blade neck, with the virtual flapping hinge being essentially arranged between the two auxiliary flapping hinges, between which the blade neck can be bent in an elastic manner upon flapping (column 18, lines 28-35; figures 11, 12).

The subject matter of claim 1 therefore differs from the closest prior art in that

- the blade connection region of the neck of each rotor blade, which contains the two auxiliary flapping hinges and the intermediate virtual flapping hinge, is designed as a blade connecting arm;
- the rotor blades are interconnected by their blade connecting arms;
- the blade connecting arms of the interconnected rotor blades overlap at least in sections, and
- one of the auxiliary flapping hinges of each blade lies in the overlapping region of the connecting arms.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The present invention can therefore be considered to address the problem of providing an alternative connection between the rotor blades in their flexible and elastic blade neck section.

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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The solution to this problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)) for the following reasons:

Documents D1-D3 show interconnected rotor blades whose blade connection region, which contains the auxiliary flapping hinges and the intermediate virtual flapping hinge, is designed as a continuous blade connecting arm. None of those documents suggests providing each individual rotor blade with its own blade connecting arm, the blade connecting arms overlapping in the blade connection region in the connected state.

Claims 2-30 are dependent on claim 1 and therefore also meet the PCT novelty and inventive step requirements.

Observations

2. Claim 20 is dependent on one or more of the preceding claims yet refers to "blade connecting forks" which are defined for the first time in claim 16. Consequently, there arises a lack of clarity (PCT Article 6).

This objection also applies to claims 21 and 22 (the "at least two connecting arms" to which the latter claim refers are defined for the first time in claim 16).

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| 3. | Claim 25 is dependent on or more of the preceding claims but refers to a "torque transmission element" which is defined for the first time in claim 24. This gives rise to a lack of clarity (PCT Article 6). |
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This objection also applies to claim 26.

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| 4. | Independent claim 1 has not been drafted in the two-part form defined by PCT Rule 6.3(b). However, in the present case the two-part form would appear to be appropriate. Accordingly, the features known in combination from the prior art (document D1) should have been placed in the preamble (PCT Rule 6.3(b)(i)) and the remaining features specified in the characterising part (PCT Rule 6.3(b)(ii)). |
| 5. | Contrary to PCT Rule 5.1(a)(ii), the description does not cite documents D1-D3 or indicate the relevant prior art disclosed therein. |